



S/N 10/691,158

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Larry L. Lough

Examiner: Scott R. Kastler

Serial No.: 10/691,158

Group Art Unit: 1742

Filed: October 22, 2003

Docket: 1749.001US2

Title: METHOD AND SYSTEM FOR EXTRACTING METAL FROM GLASS
WASTE

TERMINAL DISCLAIMER

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Joseph P. Mehrle, am the attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on October 22, 2003. I am making this petition on behalf of Tri E Holding, LLC, the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. § 3.73(b)

Your petitioner, Tri E Holding, LLC, certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 10/691,158) and to U.S. Patent Application Serial No. 10/691,282. Your petitioner owns the entire right, title, and interest of these applications by nature of the assignments executed and filed for both of these applications. The assignments for the above-identified patent application (Serial No. 10/691,158) were recorded in parent case 10/310,411 as follows:

An assignment from the inventor to Tri-State E Recycling recorded on December 5, 2002 on Reel 013561, Frames 749-751, with the United States Patent and Trademark Office; and

An assignment from Tri-State E Recycling to Tri E Holding, LLC recorded October 10, 2003 on Reel 014040, Frames 820-823, with the United States Patent and Trademark Office.

The assignments for Application Serial No. 10/691,282 were recorded in parent case 10/376,206 as follows:

An assignment from the inventor to Tri-State E Recycling recorded on February 26, 2003 on Reel 013841, Frames 98-100, with the United States Patent and Trademark Office; and

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An assignment from Tri-State E Recycling to Tri E Holding, LLC recorded on October 10, 2003 on Reel 014040, Frames 797-800, with the United State Patent and Trademark Office.

The above-identified patent application (Serial No. 10/691,158) is related to Application Serial No. 10/691,282.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, Tri E Holding, LLC, seeking to take the action set forth in this disclaimer.

Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of U.S. Patent Application Serial No. 10/691,282. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patent Application Serial No. 10/691,282 and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Application Serial No. 10/691,282 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove.

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Fee Status

A check in the amount of \$55.00, which is required under 37 C.F.R. § 1.20(d) to file a statutory disclaimer, is enclosed herewith. The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

LARRY L. LOUGH

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
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(513) 942-0224

Date 9-7-04

By Joseph P. Mehrle
Joseph P. Mehrle
Reg. No. 45,535

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 7 day of September, 2004.

Peter Rebuffini
Name

Peter Rebuffini
Signature